



November 17, 2003

Ms. Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW, TW-A325
Washington, D.C. 20554

Re: *ExParte* Notice
In the Matter of Telephone Number Portability, CC Docket No. 95-116

In the Matter of USF Contribution Methodology System, CC Docket Nos. 96-45, 98-171,
90-571, 92-237, 99-200, 95-116, 98-170

*In the Matter of Federal-State Joint Board on Universal Service Rules Relating to High-
Cost Universal Service Support and the ETC Designation Process*, CC Docket No. 96-45

In the Matter of Vonage Petition for Declaratory Ruling, WC Docket No. 03-211

Dear Ms. Dortch:

On Friday, November 14, 2003, Randy Houdek, General Manager for Venture Communications Cooperative in Highmore, South Dakota, Ben Dickens with the Law Offices of Blooston, Mordkofsky, Dickens, Duffy & Prendergast and Daniel Mitchell with the National Telecommunications Cooperative Association (NTCA) met with Commissioner Jonathan Adelstein, Lisa Zaina, Senior Legal Advisor to Commissioner Adelstein, and Barry Ohlson, Legal Advisor for Commissioner Adelstein on Spectrum and International Issues.

At the meeting we discussed the Commission's November 10, 2003 Order and Further Notice of Proposed Rulemaking (FNPRM) concerning wireline-to-wireless local number portability (LNP). Specifically, we indicated our concern that the Commission's forbearance from requiring interconnection agreements between wireline and wireless carriers for intermodal porting would likely adversely impact rural incumbent local exchange carriers (rural ILECs) efforts to negotiate equitable inter-carrier compensation agreements by creating a further incentive for wireless carriers not to negotiate.

We also discussed issues concerning the Federal-State Joint Board on Universal Service's proceeding on the universal service support portability rules and eligible telecommunications carrier (ETC) guidelines. We reiterated NTCA's positions previously filed in this proceeding requesting the elimination of the identical support rule, requiring competitive eligible

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telecommunications carriers (CTECs) to base their support on their own costs, and continuing to base rural ILEC support on the cost of their total network facilities and not base support on primary lines.

In addition, we discussed NTCA's continued support of a revenue-based universal service contribution mechanism and the reasons why the currently proposed connections-based and telephone number-based mechanisms are inequitable and discriminatory.

Lastly, we discussed the Vonage Petition for Declaratory Ruling. We recommended that the Commission classify voice over Internet protocol (VOIP) phone service as a "telecommunications service" and require all VOIP providers pay their fair share of universal service contributions and access charges.

Sincerely,

/s/ Daniel Mitchell
Daniel Mitchell

cc: Commissioner Jonathan Adlestein
Lisa Zaina
Barry Ohlson
Ben Dickens